

NOT VOTING—2

Harkin

Kennedy

The PRESIDING OFFICER. On this vote, the yeas are 78, the nays are 20. Two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

PAYCHECK PROTECTION ACT

The Senate continued with the consideration of the bill.

VOTE ON AMENDMENT NO. 1647

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment offered by the Senator from Maine. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from California (Mrs. FEINSTEIN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote "no."

The result was announced—yeas 47, nays 50, as follows:

(Rollcall Vote No. 14 Leg.)

YEAS—47

Abraham	Faircloth	Lugar
Allard	Frist	Mack
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Coats	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thurmond
Domenici	Kyl	Warner
Enzi	Lott	

NAYS—50

Akaka	Feingold	Mikulski
Baucus	Ford	Moseley-Braun
Biden	Glenn	Moynihan
Bingaman	Graham	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Robb
Bumpers	Johnson	Rockefeller
Byrd	Kerrey	Roth
Chafee	Kerry	Sarbanes
Cleland	Kohl	Snowe
Collins	Landrieu	Specter
Conrad	Lautenberg	Thompson
Daschle	Leahy	Torricelli
Dodd	Levin	Wellstone
Dorgan	Lieberman	Wyden
Durbin	McCain	

NOT VOTING—3

Feinstein

Harkin

Kennedy

The motion to lay on the table the amendment (No. 1647) was rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1648 WITHDRAWN

Mr. LOTT. Mr. President, I now withdraw amendment No. 1648.

The PRESIDING OFFICER (Mr. STEVENS). The Senator has that right. The amendment is withdrawn.

Amendment No. 1648 was withdrawn.

AMENDMENT NO. 1647

Mr. LOTT. I ask unanimous consent the Senate now proceed to the question with respect to the Snowe amendment.

The PRESIDING OFFICER. The question is on agreeing to the Snowe amendment.

The amendment (No. 1647) was agreed to.

AMENDMENT NO. 1674 TO AMENDMENT NO. 1646, AS AMENDED

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I now ask unanimous consent it be in order for me to send an amendment to the desk to the pending McCain amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1674 to amendment No. 1646, as amended.

Mr. LOTT. I ask that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the amendment is as follows:

SECTION 600. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communication Act of 1934.

SECTION 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

Mr. LOTT. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1675 TO AMENDMENT NO. 1674

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I ask unanimous consent it be in order now for me to send an amendment to the desk.

Mr. DASCHLE. Reserving the right to object, would the majority leader be able to describe the first amendment and the second amendment?

Mr. LOTT. Thank you for making that inquiry. Let me explain it to the Members.

What we have done here is to accept the Snowe amendment as was offered

and debated this afternoon to the McCain amendment. Her amendment was a second-degree amendment to the McCain-Feingold amendment. That was accepted.

We now propose to go to a vote on the McCain-Feingold amendment, as amended. It would be a motion to table.

Mr. DASCHLE. So the majority leader has offered two amendments to the pending amendment?

Mr. LOTT. Both FEC language amendments.

What is pending is McCain-Feingold, as amended by Snowe. We would have a vote on that, as amended.

Mr. DASCHLE. I thank you for the explanation.

Mr. MCCAIN. Reserving the right to object, I will not object. I believe this is a good thing to have the Snowe-Jeffords amendment incorporated in McCain-Feingold. I appreciate the majority leader doing that.

Mr. LOTT. Mr. President, I send the second amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1675 to amendment No. 1674.

The text of the amendment is as follows:

600. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communication Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect ten days after enactment of this Act.

SECTION 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

Mr. DASCHLE. Parliamentary inquiry. There are still some questions as to what we are about to vote on. Let me state it, and I would appreciate it if the Presiding Officer could clarify whether or not my understanding is correct.

We are about to vote on tabling the McCain-Feingold amendment as modified by the Snowe amendment; is that correct?

Mr. LOTT. That is correct. That is amendment No. 1646.

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. MCCONNELL. Mr. President, I move to table the amendment number 1646, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—48

Abraham	Faircloth	Lugar
Allard	Frist	Mack
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Campbell	Hagel	Santorum
Coats	Hatch	Sessions
Cochran	Helms	Shelby
Coverdell	Hutchinson	Smith (NH)
Craig	Hutchison	Smith (OR)
D'Amato	Inhofe	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kyl	Thurmond
Enzi	Lott	Warner

NAYS—50

Akaka	Feingold	McCain
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Breaux	Hollings	Reed
Bryan	Jeffords	Reid
Bumpers	Johnson	Robb
Byrd	Kennedy	Rockefeller
Chafee	Kerrey	Sarbanes
Cleland	Kerry	Snowe
Collins	Kohl	Specter
Conrad	Landrieu	Thompson
Daschle	Lautenberg	Torricelli
Dodd	Leahy	Wellstone
Dorgan	Levin	Wyden
Durbin	Lieberman	

NOT VOTING—2

Harkin Inoue

The motion to lay on the table the amendment (No. 1646), as amended, was rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

COMBATING WEAPONS OF MASS DESTRUCTION

Mr. BIDEN. Mr. President, with the end of the Cold War, the terrible threat of nuclear holocaust has been substantially reduced. But the world is far from trouble-free. The threat of the 90's, perhaps to become the threat of the coming decade, is that posed by weapons of mass destruction in the hands of lesser powers—like Iraq or Iran—or even terrorist groups.

My esteemed colleague, the senior Senator from Indiana, has written a sobering article in today's issue of *The Hill*. His conclusion is one to which we should all pay attention:

Absent congressional support of a U.S. response to this threat as focused, serious and vigorous as America's Cold War strategy, Americans may have every reason to anticipate domestic or international acts of nuclear, chemical and biological terrorism against American targets before another decade is out.

The Nunn-Lugar and related programs that help countries in the former Soviet Union to guard against diversion of material or technology relating to weapons of mass destruction are an important defense against such terrorism. Last year, I was pleased to co-sponsor Senator LUGAR's amendment that restored full funding to these programs. This year, we would all be well advised to seek opportunities to expand these programs, as recommended in a study last year by the National Research Council, an arm of the National Academy of Sciences.

I commend Senator LUGAR's article to my colleagues and ask unanimous consent that its text be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From *The Hill*, Feb. 25, 1998]

THE THREAT OF WEAPONS OF MASS DESTRUCTION

(By Senator Richard G. Lugar)

Last week the American people were reminded that terrorism is not just somebody else's problem. Two men were arrested by the FBI in Nevada on suspicion of possessing a biological agent believed to be anthrax. News reports suggested that the suspects were members of the Aryan Nation, and rumors abounded that they planned to attack a large metropolitan area.

This is but the latest instance in a growing series of incidents in which weapons of mass destruction have been linked to terrorist plots.

Terrorists of today do not need a Manhattan Project to construct weapons of mass terror.

Local law enforcement and the FBI responded quickly and efficiently to the potential threat in Nevada. But this episode begs the question: What would have happened if we had not detected this threat? What were the origins of this material? In this case, the source appears to have been an American laboratory. But the origins could just as well have been foreign.

On the day the suspects were arrested in Nevada, the news media reported on a Russian-made form of deadly anthrax bacteria that is resistant to penicillin and all current vaccines. If true, this creates the risk that individual Russian biologists might illicitly sell samples of their work to rogue nations, such as Iraq. The U.S. military is concerned that such an untreatable strain, if it exists, could show up in Iraq during any military action in the Persian Gulf.

At home, the terms under which American firms and laboratories can sell such materials need to be tightened. One of the suspects arrested in Nevada had pleaded guilty to fraud after he was accused of illegally obtaining bubonic plague bacteria from an American laboratory.

The Nevada incident demonstrates that the threat is real and that we must be pre-

pared. Preparation must take the form of help to locate "first responders"—the firemen, police, emergency management teams, and medical personnel who will be on the front lines if deterrence and prevention of such incidents fail.

That is why the 1996 Nunn-Lugar-Domenici "Defense Against Weapons of Mass Destruction" legislation directed the professionals from the Department of Defense, Federal Bureau of Investigation, Federal Emergency Management Agency and other executive agencies to join in a partnership with local emergency professionals in cities across the country. To date, 14 metropolitan areas have received training to deal with these potential threats. The Pentagon intends to supply training and equipment to 120 cities across the country over the next five years.

Preparations at home, however, are insufficient, because the most dangerous sources of proliferation are abroad where the threats are more complex and the solutions more complicated. There are three main lines of defense against the proliferation of weapons and materials of mass destruction. Individually, each is insufficient; together, they help to form the policy fabric of an integrated defense-in-depth. The first is preventing proliferation at the sources abroad. The second is deterring and interdicting the flow of illicit trade in these weapons and materials. The third line of defense is preparing domestically for a crisis.

As a consequence of the collapse of the Soviet totalitarian command and control society, a vast potential supermarket of weapons and materials of mass destruction has become increasingly accessible. Religious sects, organized crime and terrorist organizations can now attempt to buy or steal what they previously had to produce on their own. The available technology allows a small number of conspirators to threaten large populations, something heretofore achievable only by nation-states.

In attempting to fashion a response to this threat, it is common sense to attempt to deal with the threat posed by weapons of mass destruction at as great a distance from our borders as possible.

The Nunn-Lugar program at the Department of Defense, along with its companion programs at the Department of Energy, are the tools the United States is employing to reduce this threat at the source, the former Soviet Union.

The program seeks to secure weapons-usable materials that are at risk of falling into the wrong hands. Unfortunately, much still remains poorly secured.

Americans are still threatened by weapons of mass destruction. In the United States we are not adequately equipped to manage the crisis posed by the threatened use of such weapons or to manage the consequences of their use against civilian populations, whether weapons production is foreign or local.

The real question, is whether there exists sufficient political will in Congress to devote the requisite resources not only to domestic preparedness but to the first two lines of defense—namely, prevention and deterrence. Only by shoring up the lines of defense abroad can we hope to prepare successfully for the threat at home.

Absent congressional support of a U.S. response to this threat as focused, serious and vigorous as America's Cold War strategy, Americans may have every reason to anticipate domestic or international acts of nuclear, chemical and biological terrorism against American targets before another decade is out.